

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

11 JEFFREY PAUL PERROTTE, ) NO. ED CV 06-00539-JHN (VBK)  
12 Petitioner, )  
13 v. ) ORDER (1) ACCEPTING AND ADOPTING  
14 J. SALAZAR, ) THE AMENDED REPORT AND  
15 Respondent. ) RECOMMENDATION OF THE UNITED  
 ) STATES MAGISTRATE JUDGE, AND (2)  
 ) DISMISSING THE PETITION FOR WRIT  
 ) OF HABEAS CORPUS  
 )  
 )

17 Pursuant to 28 U.S.C. §636, the Court has made a de novo review  
18 of the Petition for Writ of Habeas Corpus ("Petition"), Respondent's  
19 Answer, Petitioner's Reply and Objections, all of the records herein  
20 and the Amended Report and Recommendation of the United States  
21 Magistrate Judge ("Amended Report").

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**IT IS ORDERED** that: (1) the Court accepts and adopts the Amended Report and Recommendation, (2) the Court declines to issue a Certificate of Appealability ("COA");<sup>1</sup> and (3) Judgment be entered denying and dismissing the Petition with prejudice.

DATED: January 24, 2011

JACQUELINE H. NGUYEN  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> Under 28 U.S.C. §2253(c)(2), a COA may issue "only if the applicant has made a substantial showing of the denial of a constitutional right." The Supreme Court has held that, to obtain a Certificate of Appealability under §2253(c), a habeas petitioner must show that "reasonable jurists could debate whether (or, for that matter, agree that) the petition should have been resolved in a different manner or that the issues presented were 'adequate to deserve encouragement to proceed further'." Slack v. McDaniel, 529 U.S. 473, 483-84, 120 S.Ct. 1595 (2000)(internal quotation marks omitted); see also Miller-El v. Cockrell, 537 U.S. 322, 336, 123 S.Ct. 1029 (2003). After review of Petitioner's contentions herein, this Court concludes that Petitioner has not made a substantial showing of the denial of a constitutional right, as is required to support the issuance of a COA.